

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of : GAESSLER et al.  
 International Application No. : PCT/DE03/03305  
 International Filing Date : October 6, 2003  
 U.S. Serial No. : 10/547,190  
 For : **METHOD FOR OPERATING AN  
 HYDRAULIC ACTUATOR, IN  
 PARTICULAR A GAS-EXCHANGE  
 VALVE OF AN INTERNAL  
 COMBUSTION ENGINE**

Address to:

Mail Stop PCT  
 Commissioner for Patents  
 P.O. Box 1450  
 Alexandria, VA 22313-1450

**RESPONSE TO MISSING REQUIREMENTS  
UNDER 35 U.S.C. 371**

S I R :

In response to the Notification of Missing Requirements Under 35 U.S.C. 371 in the United States Designated/Elected Office (DO/EO/US) (mailed April 4, 2006), Applicants submit herewith a fully executed Declaration, in order to complete the filing requirements for the U.S. national phase of the above-identified PCT application. The application filed in the Patent Office is the application which the inventors executed by signing the Declaration and Power of Attorney. A copy of the Notification of Missing Requirements is also enclosed.

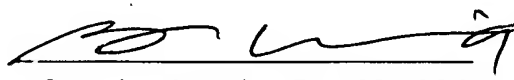
The Office is authorized to charge the \$130.00 fee to cover the surcharge for late filing of the Declaration to Deposit Account No. 11-0600.

The Office is also hereby authorized to charge Deposit Account No. 11-0600 with any additional fees required by this paper or credit any overpayment. An additional copy of this letter is enclosed for this purpose.

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Respectfully submitted,  
 KENYON & KENYON LLP

05/10/2006 ATRAH1 00000157 105/7190  
 01 FC:1617 130.00  
 Date: 5/4/06

  
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## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
 United States Patent and Trademark Office  
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|                             |                       |                  |
|-----------------------------|-----------------------|------------------|
| U.S. APPLICATION NUMBER NO. | FIRST NAMED APPLICANT | ATTY. DOCKET NO. |
| 10/547,190                  | Hermann Gaessler      | 10191/3709       |

INTERNATIONAL APPLICATION NO.

PCT/DE03/03305

|                  |               |
|------------------|---------------|
| I.A. FILING DATE | PRIORITY DATE |
| 10/06/2003       | 03/10/2003    |

26646  
 KENYON & KENYON LLP  
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 NEW YORK, NY 10004

CONFIRMATION NO. 9174

371 FORMALITIES LETTER



\*OC000000018435059\*

Date Mailed: 04/04/2006

### NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 08/25/2005
- Copy of the International Search Report filed on 08/25/2005
- Preliminary Amendments filed on 08/25/2005
- Information Disclosure Statements filed on 08/25/2005
- Oath or Declaration filed on 08/25/2005
- Request for Immediate Examination filed on 08/25/2005
- U.S. Basic National Fees filed on 08/25/2005
- Substitute Specification filed on 08/25/2005
- Priority Documents filed on 08/25/2005
- Specification filed on 08/25/2005
- Claims filed on 08/25/2005
- Abstracts filed on 08/25/2005
- Drawings filed on 08/25/2005

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
  - is not executed in accordance with either 37 CFR 1.66 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath

or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

**SUMMARY OF FEES DUE:**

Total additional fees required for this application is **\$130** for a Large Entity:

- **\$130** Surcharge.

**ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

PATRICIA A BOOKER

Telephone: (703) 308-9140 EXT 204

**PART 1 - ATTORNEY/APPLICANT COPY**

| U.S. APPLICATION NUMBER NO. | INTERNATIONAL APPLICATION NO. | ATTY. DOCKET NO. |
|-----------------------------|-------------------------------|------------------|
| 10/547,190                  | PCT/DE03/03305                | 10191/3709       |